

By: Sparks, Perry

S.B. No. 1035

A BILL TO BE ENTITLED

AN ACT

relating to equitable relief from the enforcement of certain governmental requirements that affect agricultural operations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 251, Agriculture Code, is amended by adding Section 251.009 to read as follows:

Sec. 251.009. RIGHT OF ACTION. (a) If a political subdivision enforces a governmental requirement in violation of this chapter, a person aggrieved by the violation may bring an action against the political subdivision to obtain declaratory or injunctive relief to block the enforcement of the governmental requirement.

(b) A person who prevails in an action under this section may recover court costs and reasonable attorney's fees.

SECTION 2. Section 251.009, Agriculture Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.